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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

PLEASE TAKE NOTICE that on March 21, 2011 at 10:00 a.m., the undersigned, counsel for the Plaintiff Class (the “Class”) as described in the Court’s Preliminary Order Granting Certification of Class for Settlement Purposes (the “Preliminary Approval Order”) will appear before the Honorable Stanley R. Chesler, at the United States District Court for the District of

New Jersey, Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, NJ, pursuant to the terms of the Preliminary Approval Order, to seek: approval of the proposed settlement of this matter as fair, reasonable and adequate and for the entry of a judgment approving such settlement; approval of Class Counsels' application for attorneys' fees in the amount of \$198,751 and expenses in the amount of \$1249; approval of a case contribution award for the Plaintiff, Mathew Ercoline, in the amount of \$2,557; and such other and further relief as the Court may deem appropriate and just.

In support of this application, the Class will rely upon the Declaration of Lester L. Levy in Support of the Settlement and Award of Attorneys' Fees and Expenses, the documents attached thereto, and Plaintiffs' Memorandum of Law in Support of Final Approval of Proposed Settlement and an Award of Attorneys' Fees and Expenses, all of which are submitted herewith.

PLEASE TAKE FURTHER NOTICE that a proposed form of final judgment is submitted herewith.

Dated: November 18, 2010

By: s/Peter S. Pearlman

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